Supreme Court, U.S.
FILED
APR 27 1971
E. ROBERT SEAVER, CLERK

IN THE

Supreme Court of The United States

OCTOBER TERM, 1970

NO. 40 orig.

COMMONWEALTH OF PENNSYLVANIA,
Plaintiff,

vs.

STATE OF NEW YORK, STATE OF FLORIDA, STATE OF OREGON, COMMONWEALTH OF VIRGINIA, and THE WESTERN UNION TELEGRAPH COMPANY,
Defendants.

MOTION OF THE STATE OF INDIANA FOR LEAVE TO JOIN IN THE COMPLAINT AND THE BRIEF OF THE COMMONWEALTH OF PENNSYLVANIA

THEODORE L. SENDAK
Attorney General of Indiana

WILLIAM F. THOMPSON
Assistant Attorney General

ROBERT A. ZABAN
Deputy Attorney General

Attorneys for the State of Indiana

Offices of the Attorney General of Indiana
219 State House
Indianapolis, Indiana 46204
Telephone: 317-633-5512

Central Publishing Company, Inc., Indianapolis, Ind. 46206

IN THE

Supreme Court of The United States

OCTOBER TERM, 1970

NO. 40

COMMONWEALTH OF PENNSYLVANIA,
Plaintiff,

vs.

STATE OF NEW YORK, STATE OF FLORIDA, STATE OF OREGON, COMMONWEALTH OF VIRGINIA, and THE WESTERN UNION TELEGRAPH COMPANY,
Defendants.

MOTION OF THE STATE OF INDIANA FOR LEAVE TO JOIN IN THE COMPLAINT AND THE BRIEF OF THE COMMONWEALTH OF PENNSYLVANIA

The State of Indiana respectfully represents that the above cause is now pending in this Court before the Honorable John F. Davis, Esquire, Special Master; that several States, including the State of Indiana, have been granted leave to intervene herein as parties plaintiff and defendant respectively; that the allegations and averments of the Commonwealth of Pennsylvania in her complaint, including the prayers thereof, and the arguments presented by her in her Brief are those which Indiana, upon advice, pro-

poses to advance with the sole exception of amounts, identity of escheator, and applicable statutory law; and that as to paragraphs 19 and 21 of Pennsylvania's Complaint, the State of Indiana alleges and avers:

* * *

19. Of the said sum, at the least $80,000.00 is held by Western Union on account of money orders purchased from it in Indiana.

* * *

21, The said sum of at least $80,000.00 is subject to escheat or custodial taking by the State of Indiana under the provisions of its laws. By Act of the General Assembly of the State of Indiana, approved March 10, 1967, Acts 1967 Ch. 253 §§ 1-46, Burns Ind. Stats. Ann. 51-701 to 51-746, Indiana enacted, retroactively, the Uniform Disposition of Unclaimed Property Act. To the extent if any, this Act was ineffectively retroactive, prior to March 10, 1967, the moneys here claimed were in any event escheatable to the State of Indiana by virtue of her statutory and common laws.

Wherefore, plaintiff the State of Indiana prays:

1. That the Complaint of the Commonwealth of Pennsylvania stand as the Complaint of the State of Indiana, with the exceptions noted above, and that the Court's Special Master enter an order to that effect.

2. That the Brief of the Commonwealth of Pennsylvania stand as the Brief of the State of Indiana.

3. That the plaintiff, the State of Indiana, have such other and further relief as to this Court may appear just.

Respectfully submitted,

THEODORE L. SENDAK
Attorney General of Indiana

WILLIAM F. THOMPSON
Assistant Attorney General

ROBERT A. ZABAN
Deputy Attorney General

Attorneys for the State of Indiana

Offices of the Attorney General of Indiana
219 State House
Indianapolis, Indiana 46204
Telephone: 317-633-5512